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July 11, 2011

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SENT VIA FEDERAL EXPRESS

Ms. Cynthia T. Brown
Chief, Section of Administration
Office of proceedings
Surface Transportation Board
395 E. Street, S.W., Room 1034
Washington, DC 20423-0001

Re: Objections of Greyhound Lines, Inc. and Peter Pan Bus Lines, Inc.
to Motion to File a Reply
STB Docket Nos. MC-F-20904, MC-F-20908, and MC-F-20912

Dear Ms. Brown:

I enclose a copy of the Objections of Greyhound Lines, Inc. and Peter Pan Bus Lines, Inc. to Motion to File a Reply. to be filed in the above-referenced matter. If you have any questions, please do not hesitate to contact me.

Very truly yours,

Timothy W. Wiseman

TWW/kkc

Enclosure

cc: David H. Coburn, Esq. (w/encl)
Director of Operations, Antitrust Division, U.S. Department of Justice (w/encl)
Jeremy Kahn, Esq. (via e-mail)

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**BEFORE THE
SURFACE TRANSPORTATION BOARD**

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STB DOCKET NOS. MC-F-20908, MC-F-20904, MC-F-20912

PETER PAN BUS LINES, INC. – POOLING – GREYHOUND LINES, INC.

**Objections of Greyhound Lines, Inc. and Peter Pan Bus Lines, Inc.
to Motion to File a Reply**

Greyhound Lines, Inc. ("Greyhound") and Peter Pan Bus Lines, Inc., ("Peter Pan") respectfully submit their Objections to Motion to File a Reply to the Surface Transportation Board ("STB" or "Board") on behalf of Coach USA, Inc. and its subsidiary, Megabus Northeast, LLC (together, "Coach"). Specifically, Coach complains of expanded service offered by Greyhound/Peter Pan under the "BoltBus" banner over the routes specified in their STB-approved pooling arrangement.

In its latest iteration of its efforts to employ the regulatory process to hinder BoltBus' competitive service, Coach, in two June 16, 2011 letters to the Board, offered up yet another claim that it is all in favor of competition in the Washington – Boston corridor, just not the competition offered by BoltBus, the STB-approved pooled operation by Greyhound and Peter Pan. Coach asserted that the "new" service subject to its most recent complaint "at least raises a question that Greyhound and Peter Pan should be required to answer." (p.3).

They did, by filing with the STB their joint Opposition to those letters on June 28, 2011. That Opposition responded substantively to the "merits" of Coach's complaint, but

even more, it focused on Coach's apparent effort to abuse the regulatory process to hinder a competitive service.

Apparently, just answering the question posed by Coach wasn't enough to sate Coach's curiosity. Three days later, on July 1st, it filed a Motion for permission to file a reply to the Greyhound/Peter Pan reply -- a filing clearly banned by the Board's rule at 49 CFR § 1104.13(c). Coach's justification is that the June 28th filing "for the first time in this proceeding, [contained] a purported explanation of the basis on which [Greyhound/Peter Pan] claim the right to operate the pooled Philadelphia-Boston service," and "[b]ecause Coach has not previously had the opportunity to comment on this novel argument"¹, it should now be allowed to deviate from the rules and file a reply to a reply. (Coach Motion, pp. 1-2). Coach is seemingly unaware or simply doesn't care that all the arguments have been made and countered in an already voluminous record (and for the most part already resolved by the Board).

In their June 28th Opposition, Greyhound and Peter Pan asserted that in terms of the merits of their position, it was highly significant that Coach had simply ignored the very existence of the April 20, 2011 Board Decision *Peter Pan Bus Lines, Inc. – Pooling – Greyhound Lines, Inc.*, MC-F-20904, *et al.*, which substantively and at length addressed issues surrounding the operation of BoltBus under the Board-approved pooling agreements. Beyond the merits, that Decision also addressed Coach's efforts there to try to file a reply to a reply. The Board said,

¹It is "novel" only in the sense that Greyhound/Peter Pan offered it in response to Coach's demand.

Citing the Board's rule precluding the filing of a reply to a reply, at 49 CFR 1104.13(c), Applicants ask us to reject Coach's letter-reply. Coach argues that its letter-reply is necessary to correct misstatements in Applicants' reply. The alleged misstatements do not, however, constitute good cause for accepting a reply to a reply. *See E. – W. Resort Transp., L.L.C.-Pet. For Declaratory Order – Motor Carrier Transp. Of Passengers in Colo.*, MC-F-21008, slip op. at 2 (STB served Apr. 8, 2005). . . . In addition, the letter-reply repeats many of the same arguments in Coach's petition. For these reasons, we will grant the request to reject Coach's letter-reply. (p.3)

There, Coach alleged Greyhound/Peter Pan's "misstatements"; here it alleges "a novel and apparently unprecedented claim." (p.2) In each proceeding, Coach asserts the procedural rules that apply to others don't apply to Coach. The Board rejected that assertion in its April 20th decision, based on the record, the rules, and cited precedent. Likewise, Coach's current Motion should be denied, but in denying that Motion, the Board should take note of how this latest filing supports Greyhound/Peter Pan's assertion as to Coach's abuse of the regulatory process.

As to the merits of this matter, Greyhound and Peter Pan rely on the fully developed record, including their most recent June 28, 2011 Opposition.

For all these reasons, the STB should deny Coach's motion for leave to file an unnecessary reply in this proceeding.

Dated:

Respectfully Submitted,

By: Jeremy Kahn by T-W By: T-W

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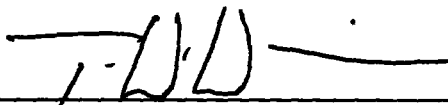
Attorney for Greyhound Lines, Inc.

CERTIFICATE OF SERVICE

I certify that I have, this 11th day of July, 2011, served copies of the foregoing
Objection of Greyhound Lines, Inc. and Peter Pan Bus Lines, Inc. to Ms. Cynthia t.
Brown, Chief, Section of Administration, Office of Proceedings, Surface Transportation
Board, by U.S. First Class Mail:

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